

REMARKS/ARGUMENTS

Claims 1-19 were pending in the application and were rejected.

Claims 1-5, 8-14 and 17-19 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,319,542 to King, Jr. et al. ("King, Jr.").

Claims 6-7 and 15-16 were rejected under 35 USC 103(a) as being unpatentable over King, Jr.

Claims 1-19 are canceled herein and new claims 20-44 are submitted.

The Specification has been amended above to correct several typographical errors in the description of FIG. 4D.

King, Jr. is directed to subject matter clearly different from the present invention. King, Jr. is directed mostly to providing control for customers and suppliers over products that are available in catalogs, see column 1, lines 65-68; and column 2, lines 8-10. One distinctive characteristic of the present invention that is not at all addressed by King, Jr. is that neither the user, the business entity, nor the merchandise provider has sole control over what merchandise at what cost from what provider is presented to the user. The present invention makes it possible that a user might not be able to order merchandise from a desired provider if the order terminal is located at a business entity that has a particular predefined relationship with the provider. The present invention also makes it possible that a merchant will be prevented from offering her merchandise on an order terminal located at another business entity having a certain type of relationship with the merchant. King, Jr. does not contemplate any of these possibilities.

King, Jr., states, at column 3, lines 29-33, "Referring to FIG. 1, the electronic catalog ordering system involves three principal players, the Suppliers, designated by block 100; the Customers/Requestors, designated by block 102, and the Public Database, designated by block 104." It is clear that King, Jr., does not contemplate anything related to a fourth "principal player"--the "business entity" of the present invention. The predefined relationship between the "business entity" and the "merchant"(i.e. supplier), together with the database and the user (i.e. customer/purchaser), of the present patent application are all recited in each of the presently pending claims, directly or by dependency.

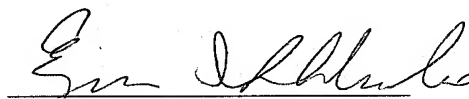
Hence, it is not possible that King, Jr. could provide any relevant basis for rejecting any of the pending claims in the present patent application.

In view of the foregoing, Applicants respectfully submit the prior art references do not teach or suggest the invention as currently set forth.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company, Deposit Account No. 05-0225.

Respectfully submitted,



Eugene I. Shkurko
Attorney for Applicant(s)
Registration No. 36,678

EIS:cvn
Attachment(s)
Rochester, NY 14650-2201
Telephone: 585-253-0123
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.